

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: March 24, 2008]²

Bill No. and sponsor: H.R. 4410 (Mr. Dan Burton of Indiana).

Proponent name,³ location: Dow AgroSciences, Indianapolis, IN.

Other bills on product (110th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2011.

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

1-(5-tert-Butyl-1,3,4-thiadiazol-2-yl)-1,3-dimethylurea (Tebuthiuron) (CAS No. 34014-18-1) (provided for in subheading 2934.99.90).

Check one: ___ Same as that in bill as introduced.
 X Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

The subject product is the technical grade material that is used in the production of herbicide products for the control of weeds in pastures and along industrial rights of way such as railroads and roadways. The product is imported from South Africa.⁴

¹ Industry analyst preparing report: Robert Randall (202-205-3366); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

⁴ The subject product entering from South Africa already enters the United States duty-free under the Generalized System of Preferences (GSP).

Estimated effect on customs revenue:

| HTS subheading: 2934.99.90 | | | | | |
|---|-------------|-------------|-------------|-------------|-------------|
| | 2009 | 2010 | 2011 | 2012 | 2013 |
| Col. 1-General rate of duty | 6.5% | 6.5% | 6.5% | 6.5% | 6.5% |
| Estimated value <i>dutiable</i> imports | \$5,875,000 | \$5,875,000 | \$5,875,000 | \$5,875,000 | \$5,875,000 |
| Customs revenue loss | \$381,875 | \$381,875 | \$381,875 | \$381,875 | \$381,875 |

Source of estimated dutiable import data: U.S. industry estimates.

Contacts with domestic firms/organizations (including the proponent):

| Name of firm/organization | Date contacted | Claim US makes same or competing product(s)? | Submission attached? | Opposition noted? |
|---|----------------|--|----------------------|-------------------|
| | | (Yes/No) | | |
| Dow AgroSciences (Proponent) Jacob Secor, 202-429-3495 | 1/14/2008 | No | No | No |
| Arkema Inc. Charles Kitchen, Fax: 215-419-7075 | 2/12/2008 | No | No | No |
| BASF Corp. Greg Thies, Fax: 703-255-7142 | 2/12/2008 | No | No | No |
| Bayer Corp. William Hensley, Fax: 202-737-8909 | 2/12/2008 | No | No | No |
| Chemtura Corp. Matt Mattingley, Fax: 202-463-8498 | 2/12/2008 | No | No | No |
| CropLife America Isi Siddiqui, Fax: 202-463-0474 | 2/12/2008 | No | No | No |
| DuPont Helen McMahon, Fax: 302-355-2994 | 2/12/2008 | No | No | No |
| Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480 | 2/12/2008 | No | No | No |
| FMC Jerry Prout, Fax: 202-956-5235 | 2/12/2008 | No | No | No |
| Monsanto Corp. Grant Erdel, Fax: 202-789-1867 | 2/12/2008 | No | No | No |
| Nufarm Limited Joel R. Junker, Fax: 206-621-8220 | 2/12/2008 | No | No | No |

| Name of firm/organization | Date contacted | Claim US makes same or competing product(s)? | Submission attached? | Opposition noted? |
|--|----------------|--|----------------------|-------------------|
| Syngenta Crop Protection, Inc. Mike Blythe, Fax: 336-632-6084 | 2/12/2008 | No | No | No |
| Valent USA Robin Demouth, Fax: 925-256-2776 | 2/12/2008 | No | No | No |

Technical comments:⁵

The Commission staff suggests using the article description on page 1 of this report in lieu of the article description in the bill in order to correct the chemical name.

⁵ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

110TH CONGRESS
1ST SESSION

H. R. 4410

To suspend temporarily the duty on Tebuthiuron.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2007

Mr. BURTON of Indiana introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To suspend temporarily the duty on Tebuthiuron.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TEBUTHIURON.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of
5 the Harmonized Tariff Schedule of the United States is
6 amended by inserting in numerical sequence the following
7 new heading:

| | | | | | | | |
|---|------------|--|------|-----------|-----------|-------------------------|----|
| “ | 9902.01.00 | Urea, N-[5-(1,1-dimethylethyl)-1,3,4-thiadiazol-2-yl]-N,N'-dimethyl (Tebuthiuron) (CAS No. 34014-18-1) (provided for in subheading 2934.99.90) | Free | No change | No change | On or before 12/31/2011 | ”. |
|---|------------|--|------|-----------|-----------|-------------------------|----|

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to articles entered, or withdrawn
3 from warehouse for consumption, on or after the 15th day
4 after the date of the enactment of this Act.

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